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Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Ethiopia*

A. Purpose and general obligations (arts. 1-4)

1. Please indicate what measures and initiatives the State party has adopted in order to fully harmonize laws and policies with the standards of the Convention, in particular concerning the concept of disability and persons with disabilities in legislation.

2. Please indicate which laws have been or are currently being reviewed to make them compliant with the Convention and whether representative organizations of persons with disabilities are being consulted in this process.

3. Please provide information on the impact of the National Human Rights Action Plan 2013-2015 from a disability perspective and on the implementation of the National Plan of Action of Persons with Disabilities 2012-2021.

4. What is the effect on funding charities of the restrictions to donor funding of disability rights work in Ethiopia? Does the State party fund organizations of persons with disabilities directly?

B. Specific rights

Equality and non-discrimination (art. 5)

5. Please indicate whether the State party envisages explicitly defining disability in legislation as a ground for discrimination, and whether denial of reasonable accommodation in all areas other than employment is considered discrimination.

6. Please explain the role of the Ethiopian Human Rights Commission in the promotion of rights of persons with disabilities. Are disability issues represented within the Commission's structures? Please provide detailed information on the cases of disability-based discrimination received by the Ethiopian Institution of the Ombudsman's toll-free telephone line and actions taken to address them.

* Adopted by the pre-sessional working group at its fifth session (21-24 March 2016).

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Women with disabilities (art.6)

7. Please provide further information, beyond the information on training, on how the rights of women and girls with disabilities have been integrated into mainstream national and subnational processes, both at policy and programmatic levels.

Children with disabilities (art. 7)

8. Please indicate if there is any specific legislation enacted to address the protection of rights of children with disabilities against neglect and mistreatment in all aspects of life.

Awareness-raising (art. 8)

9. Please indicate if a national disability awareness policy or strategy has been adopted to strengthen efforts to prevent and combat discrimination and disability stereotypes.

Accessibility (art. 9)

10. Please provide information on the development of a strategy to implement in practice the laws, regulations and directives on infrastructure accessibility. Please also provide information on the measures taken to adapt existing buildings.

Right to life (art. 10)

11. Please indicate what steps are being taken to protect the right to life of persons with albinism.

Situations of risk and humanitarian emergencies (art. 11)

12. Does the State party have a risk and emergencies strategy, or a department or ministry responsible for risks and emergencies, and if so, are disability issues integrated into the strategy?

Equal recognition before the law (art. 12)

13. Please indicate if there is any initiative to review, modify and repeal provisions of the Civil Code that contradict article 12, in particular those in chapters 3 (Insane persons and infirm persons) and 4 (Judicial interdiction), and articles 339-388.

14. Please provide more information regarding the "total enjoyment of the right to legal capacity" for persons with intellectual and psychosocial disabilities, indicating whether they have the right to bring complaints, act as witnesses in cases on their own behalf, whether they have a right to informed consent for treatment, admission and discharge from hospitals, the right to marry, vote and exercise parental rights. What mechanisms are in place and are planned to ensure supported decision-making for persons with disabilities?

Access to justice (art. 13)

15. Please provide information on cases of reasonable accommodation and procedural accommodation accorded in the justice system to persons with disabilities and whether judges, lawyers, other court staff and police are trained on the rights of persons with disabilities. What efforts have been made to ensure procedural accommodation and reasonable accommodation in the law enforcement and justice sectors?

Liberty and security of the person (art. 14)

16. How does the State party ensure respect for the absolute prohibition of forced detention and treatment on the basis of impairment?

Freedom from exploitation, violence and abuse (art. 16)

17. Please provide further information, not limited to current provisions of legislation, on measures adopted to reduce and prevent violence, exploitation and abuse against persons with disabilities, in particular women and girls with disabilities. Please indicate what measures have been adopted to address female genital mutilation in the State party, in particular for women and girls with disabilities.

Living independently and being included in the community (art. 19)

18. Please indicate what steps are being taken to enhance access to services relating to mental health within the community. Please also provide information on the availability and access of persons with disabilities to personal assistance services.

Freedom of expression and opinion, and access to information (art. 21)

19. Please indicate what measures the State party has adopted to ensure that liberty of expression of persons with disabilities is not restricted in legislation nor in practice, and whether the necessary supports are provided for them to fully enjoy this right.

20. What steps are being taken to formally recognize Ethiopian Sign Language in the law? What measures has the State party adopted to train and officially certify sign language interpreters?

Respect for home and the family (art. 23)

21. Please provide information on measures to repeal the provisions of the Revised Family Code that entail discrimination on the basis of disability, such as articles 34, 51 and 220, and other legislation based on negative stereotypes of persons with disabilities regarding family life. What forms of community-based support exist for parents with disabilities to ensure that they can exercise parental rights?

Education (art. 24)

22. Please provide information on whether the State has developed a comprehensive strategy towards an inclusive education system. What support systems currently exist to enable learners with disabilities to effectively access education in inclusive settings, including for women and girls with disabilities?

Health (art. 25)

23. Please provide an update on measures adopted to continue building the capacity of health and social services to provide care for children with disabilities.

24. Are persons with HIV/AIDS considered persons with disabilities in the State party? Please provide information on the steps being taken to conduct regular training for staff of hospitals and health-care centres on the rights of persons with disabilities, including on sexual and reproductive health, HIV and sexually transmitted infections, and to ensure provision of accessible education, information on health care and services across the territory, including in rural regions.

Habilitation and rehabilitation (art. 26)

25. Please elaborate on the early childhood programmes aimed at habilitating children with disabilities.

Work and employment (art. 27)

26. Please indicate how many persons with disabilities have been employed as a result of the measures being taken by the State party to enhance their employment, both in the private and public sectors.

Adequate standard of living and social protection (art. 28)

27. Please provide information on the number of households containing persons with disabilities who receive either social protection cash transfers or social cash transfers, and how assessments for disability are undertaken.

Participation in political and public life (art. 29)

28. What steps are being taken to repeal provisions of the electoral law excluding "notoriously insane persons" from voter registration and obliging courts, hospitals and polling stations to report to electoral offices on those "rendered insane" for the purposes of deletion from the registry. Please elaborate on support systems to the "disabled and the blind" for their effective participation in the process and on the safeguards available to ensure their will and preferences are respected.

C. Specific obligations

Statistics and data collection (art. 31)

29. Please indicate what steps are being taken to ensure that the next census has clearly set questions to obtain more realistic and accurate figures to support effective policy planning for persons with disabilities.

International cooperation (art. 32)

30. How will disability be mainstreamed in the Growth and Transformation Plan to implement the 2030 Agenda for Sustainable Development, and how will organizations of persons with disabilities be involved?

National implementation and monitoring (art. 33)

31. Please indicate whether the Government has designated focal points in the respective ministries and agencies and provide information on measures to establish an independent monitoring mechanism in line with article 33 (2) of the Convention.